

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CAROL PETHTEL, individually and in
her capacity as Administratrix of the
Estate of THOMAS SAMUEL PETHTEL, JR.,
deceased, and as guardian ad litem for
TARA BROTHERS, TABITHA PETHTEL and
THOMAS S. PETHTEL, III,

Plaintiff,

v.

Civil Action No. 5:06CV87
(STAMP)

WEST VIRGINIA STATE POLICE,
COLONEL DAVID L. LEMMON,
SUPERINTENDENT OF THE
WEST VIRGINIA STATE POLICE,
SERGEANT GERALD L. MENENDEZ,
SERGEANT CHARLES F. TRADER,
FIRST SERGEANT DAVID B. MALCOMB,
FIRST SERGEANT L. SCOT GOODNIGHT,
CORPORAL R.L. MEFFORD and
TROOPER J.A. SIMMONS, individually
and in their capacity as members of
the Special Response Team - Alpha Team
of the West Virginia State Police,
CAPTAIN T. PHILLIPS, State Police
Commanding Officer in Ohio County,

Defendants.

ORDER SCHEDULING STATUS AND SCHEDULING CONFERENCE

On August 15, 2007, the plaintiff, Carol Pethtel, filed a
"Contested Motion to Extend Discovery." In her motion, the
plaintiff requests a 45-day extension of time to complete
discovery. To date, no further pleadings have been filed.

This Court finds that it would be beneficial to schedule a
status and scheduling conference to address the plaintiff's motion
to extend discovery. Accordingly, the parties shall appear for a
status and scheduling conference on **August 28, 2007 at 10:00 a.m.**

in the chambers of Judge Frederick P. Stamp, Jr., Federal Building, Twelfth and Chapline Streets, Wheeling, West Virginia 26003.

The Court will permit the attorneys to participate in the conference by telephone if they so desire. However, any such attorney shall advise the Court at least three working days prior to the conference of his or her intention to participate by telephone and shall (1) inform all counsel and any pro se parties of his or her appearance by telephone; (2) confer with other out-of-town attorneys and any pro se parties to determine if they wish to appear by telephone; (3) advise the Court of the name of the attorney who will initiate the conference call and all such attorneys appearing by telephone; and (4) initiate a timely telephone conference call with such attorneys to the Court at 304/233-1120 at the time of the scheduled conference. If the attorneys cannot reach an agreement as to the initiator of the call, the Court will make that determination.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: August 17, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE